

Customer No. 01933

Attorney Docket No. 00009/LH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Eiji YAMAMOTO et al

Serial No. 09/480,506 :

Filed January 10, 2000

For OPTICAL DISPLACEMENT SENSOR

AND OPTICAL ENCODER

Art Unit 2877

Examiner Hwa S. Lee :

TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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Date of Deposit: September 13, 2004

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is

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Patenta, Alexandria,

two Daniel

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by any form PTO-2038 which may be attached hereto, authorization to charge the extension fee, or any other fee required in

connection with this Paper to Account

No. 06-1378.

SIR:

The owner of the 100% interest in the present application, namely OLYMPUS CORPORATION, which as shown in the attached copy and translation of the Certificate of Detailed Company History of OLYMPUS CORPORATION is the new name of the Assignee of record:

> Assignee: OLYMPUS OPTICAL CO., LTD. Assignment recorded on: March 9, 2000

Reel: 010665 Frame: 0935

hereby disclaims the Terminal part of the term of any patent granted on the above-identified present application which extends beyond the full statutory term (defined in 35 USC 154 to 156) of commonly owned U.S. Patent 6,631,005.

The owner also hereby agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that the patent granted on the above-identified application is commonly owned with U.S. Patent 6,631,005.

In making the above disclaimer, there is no disclaimer of the terminal part of any patent granted on the above-identified patent application that would extend to the expiration of the full statutory term (as defined in 35 USC 154 to 156) of U.S. Patent 6,631,005 in the event that U.S. Patent 6,631,005: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a Court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

This Agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

The undersigned hereby states that he is an Attorney of Record in the above-identified application and has been authorized to sign this TERMINAL DISCLAIMER on behalf of the above-identified owner.

Submitted herewith is a Form PTO-2038 authorizing payment of the Terminal Disclaimer fee of \$110.00. In addition, authorization is hereby given to charge any additional fees which may be determined to be required, and to credit any overpayments, to Account No. 06-1378.

Attorney of Record: Douglas Holtz Reg. No. 33,902

Dated: September 13, 2004

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